IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1113 OF 2006
IN
CRIMINAL APPEAL NO.1182 OF 2005

Haresh Vasumal Gokhlani ...Applicant

Vs.

The State of Maharashtra ...Respondent

Ms Bhavna Gaja for the Applicant.

Shri A.S.Shitole, A.P.P for the Respondent.

CORAM : A. S. OKA, J.
DATE : NOVEMBER 06, 2006.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P for the State. The Applicant (accused No.2) has been convicted for the offence punishable under section 489(C) read with section 34 of the Indian Penal Code. The substantive sentence imposed on the Applicant is five years rigorous imprisonment. He has been directed to pay fine amount of Rs.5,000/-. The Applicant has already undergone sentence for a period of about two and half years. The accused No.1 is already enlarged on bail by order dated 12th October, 2006 passed in Criminal Application No.8235 of 2005 in Criminal Appeal No.1182 of 2005. There is no difference between case of the present Applicant and the accused No.1.

2. It is not clear whether fine amount is paid. Therefore, order granting bail will be given effect only after fine amount is paid by the Applicant.

3. Application is disposed of by passing the following order:

(i) The Applicant shall be enlarged on bail in the sum of Rs.5,000/- with one or two local sureties in the like amount.

(ii) The bail is granted subject to condition that the Applicant will attend Hill Line Police Station, Ulhasnagar on every first Saturday of every calendar month till the disposal of the Appeal.

(iii) Order granting bail will be given effect only after fine amount is deposited by the Applicant.

JUDGE